IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 5251 of 1998

Between:

1 Harijana Labour Contractor Co-operative Society, Rep. by its President T. Kotaiah.
Mandrajupalli, Nelakondapally Mandal,
Khammam District
2 Bapuji Labour Contract Co-operative Society, Rep. by its president G.V. Narayana.
Devarakonda, Nalgonda District
3 M/s. Sree Balaji Girijana Labour Contract Co-operative Society Ltd., Rep. by its president A. Jawaharlal.
Jaggannapet, Mulugu Mandal,
Warangal Dist.
4 M/s. Girija LabourContract Co-opertive Society Ltd., Rep. by its President Maloth Motilal.
Rama Theertham Thanda, Nallabelly Mandal,
Warangal District,
5 Kranthi Harijana Labour Contract Co-operative Soceity Ltd., Rep. by its president P. Srinivas.
Pothurajally, Geesugonda Mandal,
Warangal District.
6 Kranthi S.C. Labour Contract Co-operative Society Ltd., Rep. by its President M. Rajamouli.
Bhramaram, Parkal Mandal,
Warangal District,
7 Harijana Labour Contract Co-operative Society, Rep. by its President J. David.
Tharrigoppula Village, Narmetta Mandal,
Warangal District.
8 Harijana Labour Contract Co-operative Society, Rep. by its President E. Sudharshanam.
Chinna Pendiala, Warangal District.
9 Harijana Labour Contract Co-operative Labour Contract Society Ltd., Rep. by its President Pallapu Ankaiah.

Kokavaripalem, Vinjamoor Mandal,
Nellore Dist.

10 M/s. Venu Engineering Construction Co., Hanumakonda, Warangal District. Rep. by its Managing Partner B. Satish

11 M/s Sri Rama Engineering Co., Rep. by its Managing Partner G.M.Reddy.
Hanumakonda, Warangal District

12 Sri D. Raju S/o. Mallaiah
Sriram Sagar Project, Balkonda Mandal, Nizamabad District.

13 Sri A. Raju S/o. Aligiswarlu
Sriram Sagar Project, Galkonda Mandal, Nizamabad District.

14 Sri Raju S/o. Maraswamy
Sri Ram Sagar Project, Balkonda Mandal, Nizamabad District.

15 Bhavsingh Nayak,
Dudia Thanda, Damarcherla Mandal, Nalgonda District.

16 M/s. Nayak Labour Contract Co-operative Society, Rep. by its president D. Bhavsingh Nayak.
Zapthi Veerappa Gudem, Miryalguda,
Nalgonda District,

..... PETITIONER(S)

AND

1 Superintending Engineer, R&B Rural Circle,
Balkampet, Hyderabad.

2 Superintending Engineer, R&B Circle,
Warangal.

3 Superintending Engineer, Panchayatraj Circle,
Khammam.

4 Superintending Engineer,
Sreeram Sagar Project Circle, Huzurabad.

5 Superintending Engineer, Panchayatraj Circle,
Nalgonda.

6 Superintending Engineer, Irrigation Circle,
Nirmal, Adilabad.

7 Superintending Engineer,
Sreeram Sagar Project Circle, Hanmakonda, Warangal.

8 Superintending Engineer,
N.S.P.Circle, Miryalaguda, Nalgonda.

9 Superintending Engineer,
N.S.P.Circle, Tekulpally, Khammam.

10 Superintending Engineer, Irrigation Circle,
Red Hills, Hyderabad.

11 Superintending Engineer, G.V.C.Circle-IV,
L.M.D. Colony, Karimnagar.

12 Superintending Engineer, Irrigation Circle,
Nizamabad.

13 Superintending Engineer, Panchayatraj Circle,
Nizamabad.

14 Superintending Engineer, R&B Circle,
Nizamabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate Writ, Order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents in insisting the petitioner societies for payment of Earnest Money Deposit, Commercial tax clearence certificate or imposing any condition or experiance in connection with all tender notices issued on or after 2-2-1998 is illegal, arbitrary and unreasonable and consequently direct the respondent not to insist payment of Earnest Money Deposit upto any value of the work, Commercial tax clearence certificate and Experiance certificate from the petitioners at the time of allotment of works in tender notices issued on or after 2-2-1998 and issue tender schedules to the petitioners in all tender notices issued on or after 2-2-1998 by following G.O.Ms.No. 178 dated 27-9-1997 irrespective any condition or all type of work experiance in whichever they register.

Counsel for the Petitioners: MR.KOONA REDDY ANJI REDDY

Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.

The Court made the following :

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ORDER:

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The learned counsel for the petitioners submits that the cause in the writ petition has become infructuous.

Recording the above submission, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J

Date: 04-03-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 Superintending Engineer, R&B Rural Circle,
Balkampet, Hyderabad.
2 Superintending Engineer, R&B Circle,
Warangal.
3 Superintending Engineer, Panchayatraj Circle,
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13 Superintending Engineer, Panchayatraj Circle,
Nizamabad.
14 Superintending Engineer, R&B Circle,
Nizamabad.

15 Two CCs. to the Government Pleader for Irrigation and Command Area Development, High Court Buildings, A.P., Hyderabad (OUT).

16 Two 2 CD copies